

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAMMY B. SANCHEZ,

Plaintiff,

v.

GONZALEZ,

Defendant.

Case No. [23-cv-06552-EMC](#)

ORDER OF DISMISSAL

Docket No. 2

On December 20, 2023, the Clerk of the Court sent two notices to Plaintiff. Docket Nos. 3, 4. This mail was returned undelivered on February 26, 2024, bearing a stamp that read in part “return to sender – unable to forward.” Docket No. 7.

The Clerk’s notices were sent to Plaintiff at the address he provided. *See* Docket Nos. 3, 4 (showing they were sent to the California Medical Facility in Vacaville). Plaintiff has not provided any address other than the address to which the undeliverable mail was sent. More than sixty days have passed since the mail was returned to the Court undelivered, and the Court has received no communication from Plaintiff.

Plaintiff has failed to comply with Local Rule 3-11(a) which requires a party proceeding *pro se* to “promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address” when his address changes. Local Rule 3-11(b) allows the Court to dismiss a complaint without prejudice when mail directed to a *pro se* party is returned as not deliverable and the *pro se* party fails to send written notice of his current address within sixty days of the return of the undelivered mail.


This action is DISMISSED without prejudice because Plaintiff failed to keep the Court informed of his address in compliance with Local Rule 3-11(a).

1 Plaintiff's *in forma pauperis* application is DENIED because he failed to file a completed
2 *in forma pauperis* form as required by 28 U.S.C. § 1915(a). Docket No. 2.

3 The Clerk shall close the file. This order disposes of Docket No. 2.

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5 **IT IS SO ORDERED.**

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7 Dated: May 8, 2024

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11 EDWARD M. CHEN
12 United States District Judge
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